New Nouveau Brunswick CANADA

News Release

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New Brunswick Human Rights Commission

International Women's Day: Pregnant women still face discrimination (08/03/06)

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FREDERICTON (CNB) - The following message was issued by Gordon L. Porter, chair of the New Brunswick Human Rights Commission, in recognition of International Womens Day:

"The New Brunswick Human Rights Commission recently received a complaint from three pregnant women who worked for the same employer. They alleged that the employer had not accommodated their pregnancies by modifying their duties in a timely manner. The employer also refused them sick leave for pregnancy-related illnesses.

"The commission was able to settle the complaints. The employer agreed to provide the women a letter of regret, to develop appropriate policies on pregnancy, and to train staff on human rights relating to pregnancy.

"March 8 is International Women's Day. While it is a time to celebrate the vital contributions that women make to New Brunswick society, it is also a time to say that discrimination and harassment of women must end.

"A great deal has changed since the *Human Rights Act* was amended in the 1970s to prohibit discrimination based on sex and marital status. We tend to forget that, before then, it was legal for an employer to refuse to hire women, or to dismiss them if they married.

"Yet, in 2006-07, the commission still received 17 complaints of sexual harassment, and 37 complaints of sex discrimination. Most of the sex discrimination complaints were filed by women, and 15 of them related to pregnancy. Typically, they involved a woman who lost her job because of pregnancy-related illness, or was not rehired after a maternity leave.

"While these numbers may appear small, we know that many women don't complain. In every instance these situations have a major impact on the lives of the individuals who lost their job or who suffer because they are not accommodated because of pregnancy.

"Employers need to recognize that discriminating against a pregnant woman is illegal. They also need to understand that it affects their bottom line. If they dismiss a pregnant employee, they lose the employee's skills and incur additional retraining and recruitment costs. The same thing happens if a pregnant employee resigns because her employer does not accommodate her need for pregnancy-related sick leave.

"Employers should be aware that in some cases the *Human Rights Act* provides more extensive protections for pregnant employees than does the *Employment Standards Act*. Under the *Human Rights Act*, pregnant women have a right to be free from discrimination and harassment, and to be accommodated, provided it does not cause undue hardship to the employer. Depending on the situation, accommodation may involve maternity leave, light work or sick leave for pregnancy-related illness.

"The Human Rights Commission has published a guideline on pregnancy to help employers and employees to understand their rights and obligations under the Human Rights Act. It is available online.

"Fortunately, today, there are effective legal remedies to combat sex discrimination and sexual harassment. Women who think they have been discriminated against because of pregnancy can call the commission at 1-888-471-2233 to discuss filing a formal complaint.

"As we observe International Women's Day, I invite New Brunswickers to celebrate the work of those who have furthered women's equality and to continue the work necessary to ensure that all of us can work and live free from discrimination and harassment."

08/03/06

MEDIA CONTACT: Francis Young, New Brunswick Human Rights Commission, 506-453-2301 or 1-888-471-2233.

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